IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 1213 OF 2005

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

CORAM : B.P. DHARMADHIKARI, J.
JANUARY 15, 2007.

Heard Shri Somalwar, learned counsel for the petitioner, Shri Khapre, learned counsel for respondent No.1, Mrs. Waikar, learned counsel for respondents No. 2 & 3 and Shri Dhurve, learned counsel for respondent No.4.

It is brought to the notice of this Court that writ petition challenges interlocutory orders passed by the Cooperative Court. Section 97 of the Maharashtra Cooperative Societies Act, permits the petitioner an appeal before the Cooperative Appellate Court against such order.

Shri Somalwar, learned counsel therefore seeks permission to withdraw this writ petition with liberty to file appeal within four weeks.

The respective counsel appearing for the respondents have no objection to

withdrawal of writ petition but they state that the prayer for condonation of delay should be considered by the appellate Court on its own merit.

In the circumstances, writ petition is allowed to be withdrawn as alternate remedy is available to the petitioner. The appellate Court shall consider the application for condonation of delay on merits independently after hearing the respondents in the matter.

JUDGE

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